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10 *AUTOZONERS, LLC*

11 **UNITED STATES DISTRICT COURT**  
12 **DISTRICT OF NEVADA**

13 ERIC COLLINS, an individual;

14 Plaintiff,

15 vs.

16 AUTOZONERS, LLC, a Nevada limited  
liability corporation; JIMMY JAMES, an  
17 individual, DOES 1 through X, inclusive; and  
18 ROE BUSINESS ENTITIES, I through X,  
inclusive,

19 Defendants.

Case No. 2:22-cv-316-CDS-BNW

**STIPULATION AND ORDER TO  
CONTINUE EVIDENTIARY HEARING ON  
PLAINTIFF'S MOTION FOR SANCTIONS  
DUE TO SPOILIATION OF EVIDENCE**

**(Second Request)**

21 Plaintiff Eric Collins ("Plaintiff") and Defendant AutoZoners, LLC ("AutoZoners"), by  
22 and through their respective counsel of record, hereby file this Stipulation and Order to Continue  
23 Evidentiary Hearing on Plaintiff's Motion for Sanctions due to Spoliation of Evidence (Second  
24 Request).

25 1. On March 22, 2023, Plaintiff filed a Motion for Sanctions due to Spoliation of Evidence  
26 (the "Motion"). [ECF 50.]

27 2. On April 5, 2023, Defendant AutoZoners filed its Opposition to Plaintiff's Motion for  
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Sanction's due to Spoliation of Evidence Opposition to Plaintiff's Motion for Sanctions due to Spoliation of Evidence (the "Opposition"). [ECF 53].

3. On April 26, 2023, Plaintiff filed his Reply in Support to Plaintiff's Motion for Sanction's due to Spoliation of Evidence Opposition (the "Reply"). [ECF 58].

4. On May 1, 2023, the Court filed a Minute Order on said Motion scheduling an Evidentiary Hearing on May 9, 2023. [ECF 59].

5. On May 4, 2023, the Court filed a Minute Order continuing the Evidentiary Hearing from May 9, 2023 to June 14, 2023. [ECF 62].

6. Due to scheduling conflicts among counsel, the Parties have agreed and stipulate to continue the hearing to a date convenient to the Court on or after July 1, 2023.

7. On June 8, 2023, the Court filed a Order granting the stipulation, rescheduling the Evidentiary Hearing for August 17, 2023. [ECF 64].

8. Due to scheduling conflicts among counsel and witnesses, the Parties have agreed and stipulate to continue the hearing to a date convenient to the Court on or after September 12, 2023.<sup>1</sup>

Dated this the 7th day of August 2023.

HONE LAW

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Dated this the 7th day of August 2023.

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<sup>1</sup> AutoZone notes, however, that it's witnesses will not be available September 24-29, 2023, due to company-wide meetings.

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4 IT IS HEREBY ORDERED that the evidentiary hearing regarding Plaintiff's Motion for  
5 Sanctions [ECF 50] is rescheduled to **October 5, 2023 at 10:00 a.m.** in a Las Vegas  
6 courtroom to be determined before Magistrate Judge Brenda Weksler.

7  
8 Dated: August 9, 2023

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10   
11 UNITED STATES MAGISTRATE JUDGE